

# FOOD STAMP PROGRAM

## REQUEST FOR REGULATION INTERPRETATION

**INSTRUCTIONS:** Complete items 1 - 10 on the form. Use a separate form for each policy interpretation request. Retain a copy of the FS 24 for your records. For counties asking for policy interpretations, submit the question directly to a FRAT representative via e-mail. For other organizations (e.g., Quality Control, Administrative Law Judges), submit questions directly to the Food Stamp Policy Implementation Unit or Employment and Special Projects Unit representative via e-mail.

1. RESPONSE NEEDED DUE TO: <input checked="" type="checkbox"/> Policy/Regulation Interpretation <input type="checkbox"/> QC <input type="checkbox"/> Fair Hearing <input type="checkbox"/> Immediate Need/Emergency Services <input type="checkbox"/> Other:	5. DATE OF REQUEST: 10-26-2011	NEED RESPONSE BY: 11-14-2011
2. REQUESTOR NAME:	6. COUNTY/ORGANIZATION: San Luis Obispo County DSS	
3. PHONE NO.:	7. SUBJECT: Withdrawals	
4. REGULATION CITE(S): 63-300.36	8. REFERENCES: (Include ACL/ACIN, court cases, etc. in references) <b>NOTE: All requests must have a regulation cite(s) and/or a reference(s).</b>	

9. QUESTION: (INCLUDE SCENARIO IF NEEDED FOR CLARITY):  
 Can an applicant withdraw his/her application for the application month only, and can the Department then approve CalFresh effective the first of the following month?

### 10. REQUESTOR'S PROPOSED ANSWER:

A CalFresh applicant can not withdraw an application for just one month. If s/he does not want to be evaluated for CalFresh eligibility in a certain month, s/he must withdraw the entire application and reapply in the month s/he wishes to be evaluated for CalFresh eligibility.

### 11. FRAT RESPONSE TO COUNTY QUESTION:

### 12. STATE POLICY RESPONSE (FSPIU USE ONLY):

Based on the information provided, no. If the applicant wishes to withdraw it's application, it has to be withdrawn prior to the CWD making a determination. If the household knows that in the month of application they are going to be ineligible, the household can wait to apply in the second month that they know they are going to be eligible.

However, if the household wishes to apply during the month of application where they will be determined ineligible, the CWD can still use the same application to determine the household eligible for the subsequent month. Per MPP Section 63-503.14(QR) states that change reporting households may be ineligible for the month of application, but eligible in the subsequent month due to reported, estimated or anticipated changes in circumstances. Even though denied for the month of application, the household does not have to reapply in the subsequent month. The same application shall be used for the denial for the month of application, and for the determination of eligibility for subsequent months, within timeliness standards in Section 63-301.1.



### FOR FRAT USE

DATE RECEIVED:	DATE RESPONDED TO COUNTY:	DATE FORWARDED TO STATE:
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